

## § 10.101

10.603 Requirements for radio officers' licenses, and STCW certificates or endorsements for GMDSS radio operators.

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AUTHORITY: 14 U.S.C. 633; 31 U.S.C. 9701; 46 U.S.C. 2101, 2103, and 2110; 46 U.S.C. Chapter 71; 46 U.S.C 7502, 7505, and 7701; 49 CFR 1.45 and 1.46. Section 10.107 is also issued under the authority of 44 U.S.C. 3507.

SOURCE: CGD 81-059, 52 FR 38623, Oct. 16, 1987 (interim) and CGD 81-059, 54 FR 132, Jan. 4, 1989 (final), unless otherwise noted.

### Subpart A—General

#### § 10.101 Purpose of regulations.

(a) The purposes of the regulations in this part are to provide—

(1) A comprehensive means of determining the qualifications an applicant must possess to be eligible for a license as a deck officer, engineer, pilot, radio officer, or radio operator on merchant

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vessels, or for a license to operate uninspected towing vessels or uninspected passenger vessels, or for a certificate of registry as a staff officer; and

(2) A means of determining that an applicant is competent to serve as a master, chief mate, officer in charge of a navigational watch, chief engineer officer, second engineer officer (first assistant engineer), officer in charge of an engineering watch, designated duty engineer, or radio operator, in accordance with the provisions of the International Convention on Standards of Training, Certification and Watchkeeping for Seafarers, 1978, as amended in 1995 (STCW), and other laws, and to receive the appropriate certificate or endorsement as required by STCW.

(b) With few exceptions, these regulations do not specify or restrict licenses to particular types of service such as tankships, freight vessels or passenger vessels. However, all licensed personnel shall become familiar with the relevant characteristics of each vessel prior to assuming their duties. As appropriate, these characteristics include but are not limited to: general arrangement of the vessel; maneuvering characteristics; proper operation of the installed navigation equipment; fire-fighting and lifesaving equipment; stability and loading characteristics; emergency duties; and main propulsion and auxiliary machinery, including steering gear systems and controls.

(c) The regulations in subpart C of this part prescribe the requirements applicable to—

(1) Each approved training course, if the training course is to be acceptable as a partial substitute for service or for a required examination, or as training required for a particular license or license endorsement; and

(2) All training and assessment associated with meeting the standards of competence established by STCW.

[CGD 81-059, 52 FR 38623, Oct. 16, 1987, as amended by CGD 95-062, 62 FR 34528, June 26, 1997]

#### § 10.102 Incorporation by reference.

(a) Certain material is incorporated by reference into this part with the approval of the Director of the Federal

## Coast Guard, DOT

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Register under 5 U.S.C. 552(a) and 1 CFR part 51. To enforce any edition other than that specified in paragraph (b) of this section, the Coast Guard must publish notice of change in the FEDERAL REGISTER and must ensure that the material is available to the public. All approved material is available for inspection at the Office of the Federal Register, 800 North Capitol Street NW., suite 700, Washington, DC, and at the U.S. Coast Guard, Office of Operating and Environmental Standards, 2100 Second Street SW., Washington, DC 20593-0001, and is available from the sources indicated in paragraph (b) of this section.

(b) The material approved for incorporation by reference in this part and the sections affected are as follows:

*International Maritime Organization (IMO)*

4 Albert Embankment, London, SE1 7SR, England.

STCW—International Convention on Standards of Training, Certification and Watchkeeping for Seafarers, 1978, as amended in 1995 (STCW Convention), and Seafarer's Training, Certification and Watchkeeping Code (STCW Code)—10.103; 10.205; 10.304; 10.603; 10.901; 10.903; 10.1005.

[CGD 95-062, 62 FR 34529, June 26, 1997, as amended by USCG-1999-6216, 64 FR 53223, Oct. 1, 1999]

### § 10.103 Definitions of terms used in this part.

*Apprentice mate (steersman) of towing vessels* means a mariner qualified to perform watchkeeping on the bridge, aboard a towing vessel, while in training under the direct supervision of a licensed master or mate (pilot) of towing vessels.

*Approved* means approved by the Coast Guard in accordance with § 10.302.

*Approved training* means training that is approved by the Coast Guard or meets the requirements of § 10.309.

*Assistant engineer* means a qualified officer in the engine department.

*Assistance towing* means towing a disabled vessel for consideration.

*Ballast control operator (BCO)* is a licensed officer restricted to service on MODUs. The duties involve the operation of the complex ballast system found on many MODUs. A ballast con-

trol operator, when assigned to a MODU, is the equivalent of a conventionally licensed mate.

*Barge supervisor (BS)* is a licensed officer restricted to service on MODUs. The duties involve support to the OIM in marine related matters including, but not limited to, maintaining watertight integrity, inspecting and maintaining mooring and towing components, and the maintenance of emergency and other marine related equipment. A barge supervisor, when assigned to a MODU is the equivalent of a conventionally licensed mate.

*Boatswain* means the leading seaman and immediate supervisor of unlicensed deck personnel who supervises the maintenance of deck gear.

*Chief engineer* means any person responsible for the mechanical propulsion of a vessel and who is the holder of a valid license as chief engineer.

*Chief mate* means the deck officer next in seniority to the master and upon whom the command of the vessel will fall in the event of the incapacity of the master.

*Coast Guard-accepted* means that the Coast Guard has officially acknowledged in writing that the material or process at issue meets the applicable requirements; that the Coast Guard has issued an official policy statement listing or describing the material or process as meeting the applicable requirements; or that an entity acting on behalf of the Coast Guard under a Memorandum of Agreement has determined that the material or process meets the applicable requirements.

*Conviction* means the applicant for a license or certificate of registry has been found guilty by judgment or plea by a court of record of the United States, the District of Columbia or any State or territory of the United States of a criminal felony or misdemeanor or of an offense described in section 205 of the National Driver Register Act of 1982 (49 U.S.C. 30304). Conviction of more than one offense at a single trial will be considered to be multiple convictions. If an applicant pleads guilty or no contest, is granted deferred adjudication, or is required by the court to attend classes, make contributions of